

**Town of Shrewsbury - Board of Selectmen
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room
100 Maple Avenue
Monday, February 28, 2005 at 7:00 PM**

Minutes

Present:

Bruce Card, Maurice DePalo, Philip Hammond, John Lebeaux, Finance Committee Chairman James McCaffrey, Assistant Town Manager Michael Hale and Daniel Morgado, Town Manager. Mr. DePalo called the meeting to order at 7:02pm.

Preliminaries:

1. Approve bills, payrolls and warrants #0565 in the amount of \$285,677.73, #0567 in the amount of \$1,599,369.13, #0568 in the amount of \$3,060,974.01, and #0570 in the amount of \$3,282,093.19.
2. Approve Minutes of February 28, 2005. Motion made, seconded and unanimously voted to approve.
3. Announcements – No announcements.
4. Town Manager's Report – Nothing other than what is on the Agenda.

Meetings:

5. 7:15pm – WMA Permit – Town Engineer Jack Perreault and Water & Sewer Supt. Robert Tozeski. Mr. Perreault and Mr. Tozeski and Paul Howard of Tata & Howard were present. Mr. Tozeski updated the Board on the status of the WMA permit and reviewed the background. Mr. Howard advised that the Town is in compliance with Interbasin Transfer and is working towards compliance with the WMA Permit. Mr. Tozeski outlined performance standards established by DEP and advised that he is working with them on these standards. Mr. Morgado added that the Town has responded to DEP and is currently awaiting their response. Mr. DePalo opened a discussion on a recent e-mail received by a resident regarding a mailing by the Water Dept. in regards to Tetrachloroethylene levels. Mr. Tozeski advised that Tetrachloroethylene is a solvent used with vinyl lines asbestos concrete pipes manufactured in the late 1960s. The Town is required to test quarterly and the most recent test triggered notification. The pipes have been flushed in the area in question but that is a short term solution. A replacement of pipes may be necessary to rectify the situation but first the Water Dept. must make sure that the contaminant is not coming from another source.
6. 7:30pm – Aqua-Save Irrigation Systems. Representatives Barry Swanson and Dawn Morretti were present. After a power point presentation, Mr. Swanson and Ms. Morretti responded to questions from the Board and Mr. Tozeski regarding costs, requirements from Town, etc. Mr. Depalo thanked Mr. Swanson and Ms. Morretti for their informational presentation.

Public Hearings:

7. 7:05pm – Melo-Tone Vending for Thai Time Restaurant, 15 Lake View Avenue, Boonchai Tantinarawat & Py Vue, managers, Automatic Amusement License. Hours of Operation: Mon.-Sat. 12:00 noon-1:00am. Peter Simonovitch, representative for Melo-Tone, was present. Mr. DePalo advised that all reports from Department Heads were favorable and opened the hearing to the public. As there was no public comment, Mr. Hammond moved to close the hearing. Mr. Card seconded and the Board unanimously approved. Motion was made to approve the application filed by Melo-Tone Vending for an Automatic Amusement License for Thai Time Restaurant by Mr. Lebeaux. Motion was seconded by Mr. Card and unanimously voted to approve.
8. 7:30pm – BUCA Restaurants 3, Inc. d/b/a Vinny Testa's, 7 Boston Turnpike, new corporate officer/transfer of stock for existing All Alcohol Pouring License. As no representative for BUCA Restaurants was present, motion was made by Mr. Lebeaux and seconded by Mr. Hammond to continue the hearing until March 7th at 7:30pm.

Old Business:

New Business:

9. Request from UMass Memorial Foundation to use portions of town streets for 7th Annual Mass. AFL-CIO "Walk to Cure Cancer," Sunday, September 25, 2005, registration at 12:00 noon, walk beginning at 2:00pm. Hold until Spirit of Shrewsbury date determined, ask Chief Sampson if a problem.
10. Discussion - status of FY 2006 budget development. Mr. Morgado reviewed the current status of FY06 budget development. He proposed two issues for consideration if an override is considered: 1) capital exclusion for fire truck, 2) general override with action taken at Annual Town Meeting. This action would mean that the warrant has to be posted by March 25th as a 35 day posting is required. If the Board determines that more time is needed for a vote on June 6th for example, the warrant must be posted by April 26th. Finance Committee Chairman James McCaffrey stated that probably the most prudent course of action is to wait for more information on additional revenue. Board will discuss further at March 7th meeting.
11. Joe Arcabascio for St. Mary's Church. One Day All Alcohol License for O'Connell's Pub/St. Patrick's Day Dinner, St. Mary's Church Hall, Summer & Main Streets, Saturday, March 12, 2005, 7:00pm-12:00 midnight. Motion was made by Mr. Lebeaux, seconded by Mr. Card and unanimously voted.

Executive Session:

12. Collective bargaining, pending litigation, and value of real property. Motion was made by Mr. Lebeaux, seconded by Mr. Card, and unanimously voted to adjourn into executive session at 9:40pm and not to reconvene for the purpose of discussion of collective bargaining, pending litigation and value of real property. The Board was polled, Mr. Card, yes, Mr. Lebeaux, yes, Mr. Hammond, yes, and Mr. DePalo, yes.

Communications:

13. Noted copy mailed: E-mail from Paul Mandella re Article 2 - Special Town Meeting.
14. Noted copy mailed: Letter from Carol Cunniff, 10 Berkshire Road, re intersection of South & Brook Streets. Ask Chief Sampson if anything has changed at this intersection.
15. Noted copy mailed: memo from Mr. Morgado re Proposition 2 ½ Ballot Questions.
16. Noted copy mailed: Memo from Robert Tozeski, Supt. Water & Sewer, re Notice of Non Compliance for Tetrachloroethylene from DEP.
17. Noted copy mailed: Letter from George Strom, Chairman Library Trustees, re article for Town Meeting.
18. Noted copy mailed: Veolia Water Monthly Compliance Report, January 2005.
19. Noted copy mailed: Letter from Ken Kirkwood Scoutmaster Troop 158, re recognition of Michael Whalen attaining rank of Eagle Scout. Court of honor on April 2nd.
20. Noted copy mailed: ZBA Hearing Minutes, 1/11/05, Jay Gallant, Heritage Home Carpentry, 137 So. Quinsigamond Avenue.
21. Noted copy mailed: ZBA Hearing Minutes, 1/11/05, Anthony Carter, 48 Sias Avenue.
22. Noted copy mailed: ZBA Hearing Minutes, 1/11/05, Apple Spice New England, Inc., 810 Boston Turnpike.
23. Noted copy mailed: Invitation to Women of Distinction 2005 luncheon & awards presentation.
24. Noted copy mailed: City & Town, Vol. 18, No. 2, February 2005.
25. Noted copy mailed: Letter from Congressman McGovern re Corridor Nine Area Chamber of Commerce Meeting.
26. Noted copy mailed: Letter & materials from Manager of Flood Hazard Management Program re National Flood Insurance Program. (materials on file in BOS office)
27. Noted copy mailed: Letter from Loitherstein Environmental re Availability of Phase V Site Monitoring Report, 32 Maple Avenue.
28. Noted copy mailed: E-mail from Shawn Freeman re 52 Holden Street. Consider recommendation made by Hannah Kane at Town meeting.
29. Noted copy mailed: Letter from Office of Consumer Affairs re notice to Class I & II Dealers regarding consumer notices on used cars. Mail to Class I & II dealerships.
30. Noted copy mailed: Memo from CMRPC re Open Meeting to discuss Amendment to the CMMPO endorsed 2005 to 2009 Transportation Improvement Program (TIP).
31. Noted copy mailed: Letter from U.S. Holocaust Memorial Museum re annual Days of Remembrance. Board will issue resolution.
32. Noted copy mailed: Letter from Rep. Polito re budget requests.
33. Noted copy mailed; Letter and material from Thompson-Liston Associates re Farmview Estates, Residential Subdivision, Green & South Streets. (Complete package on file in BOS office.)
34. Noted copy mailed: Invitation from The Suburban Coalition to annual legislative Breakfast.

35. Noted copy mailed: Letter requesting article be placed on Town Meeting Warrant re driveway easement from Christopher Boehm, 33 Monadnock Drive. Forward to Planning Board.
36. Noted copy mailed: School Committee Meeting Agenda, 3/2/05.
37. Noted copy mailed: 2005 MMA Spring Regional Update Meeting Agenda & Registration Form.
38. Noted copy mailed; Memo from Highway Supt. John Knipe re Estimate Funds.
39. Noted copy mailed: Planning Board Meeting Agenda, 3/3/05.

Motion was made by Mr. Lebeaux, seconded by Mr. Hammond, and unanimously voted to adjourn into executive session at 9:40pm and not to reconvene for the purpose of discussing collective bargaining, value of real property and pending litigation. On a roll call vote Mr. Card, yes, Mr. Lebeaux, yes, Mr. Hammond, yes, and Mr. DePalo, yes.

Respectfully submitted,

Janice C. McCoy
Secretary